



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

July 15, 2026

John D. Johnson, Sr., President
Lac du Flambeau Band of
Lake Superior Chippewa Indians
P.O. Box 67
Lac du Flambeau, WI 54538

SUBJECT: INITIATION OF SECTION 106 CONSULTATION AND PRELIMINARY DETERMINATION OF NO HISTORIC PROPERTIES AFFECTED REGARDING THE PALISADES SMR, LLC EXEMPTION REQUEST, VAN BUREN COUNTY, MICHIGAN (EPID NUMBERS: L-2026-LNE-0003 AND L-2026-LNE-0004; DOCKET NUMBERS: 50-616 AND 50-617)

Dear President Johnson, Sr.:

The U.S. Nuclear Regulatory Commission (NRC) staff is initiating Section 106 consultation under the National Historic Preservation Act of 1966, as amended (NHPA) for an exemption request from the requirements in Title 10 of the *Code of Federal Regulations* (10 CFR) 50.10(c) to allow Palisades SMR, LLC (Palisades SMR) to conduct certain construction activities. The exemption, if approved, would allow for construction of support of excavation (SOE) walls during the excavation for the dual-unit SMR-300 plant prior to NRC issuance of a limited work authorization (LWA), if approved. The SOE walls would remain in place as permanent components of the completed facility. The exemption request was submitted by SMR, LLC on behalf of Palisades SMR, a Holtec International company, in support of the planned construction of two Holtec SMR-300 reactors, designated Pioneer Units 1 and 2, at the Palisades Energy Center (PEC) site in Covert Township, Van Buren County, Michigan. The exemption request is available online through the NRC's Agencywide Documents Access and Management System (ADAMS) Accession No. [ML25365A989](#) (Enclosure IV, Attachment A, Exemption 1). This letter notifies your office of the initiation of Section 106 consultation for the exemption request (i.e., undertaking), the staff's preliminary determination for the exemption request, and a request for comments.

Palisades SMR included the exemption request with Part 1 of the phased construction permit (CP) application for Pioneer Units 1 and 2. Palisades SMR has requested that the NRC consider and approve the exemption independently of, and prior to, completion of the NRC's review of the remainder of Part 1 of the phased CP application, which includes the LWA application and two other exemption requests. Part 1 of the phased CP application is available in ADAMS at [ML25365A983](#). The NRC initiated Section 106 consultation for that undertaking with your office on June 25, 2026 ([ML26161A020](#)).

The NRC staff is preparing an Environmental Assessment (EA) for the proposed action (i.e. requested Exemption 1) that is planned to be issued in August 2026. Enclosed is the NRC staff's analysis and preliminary determination for your review and comment. The Area of Potential Effects for the proposed action/undertaking is approximately 9 acres within the

432-acre PEC site. The NRC's analysis includes a 1 mile (1.6 kilometer) buffer to account for potential offsite impacts to historic properties, if present.

Based on the staff's review of Palisades SMR's environmental report portion of the application, the archaeological and architectural surveys conducted by their contractor, and the staff's independent assessment, the NRC staff has made the preliminary determination that the undertaking will result in No Historic Properties Affected, as defined in 36 CFR 800.4(d)(1). This determination is distinct from the NRC's NHPA consultation initiated June 25, 2026, for the phased CP undertaking.

The NRC staff requests your comments or concerns on the NRC's preliminary No Historic Properties Affected determination, by August 14, 2026. The NRC has also made the staff's analysis and preliminary determination available to the public in accordance with 36 CFR 800.2(d) at [ML26194A201](#); it can also be accessed through the NRC's project website: <https://www.nrc.gov/reactors/new-reactors/advanced/who-were-working-with/applicant-projects/pioneer>. After consideration of comments received from consulting parties and the public, the NRC plans to issue a final determination in the EA in August 2026.

If you have any questions, comments, or concerns regarding the NRC's Section 106 consultation, please contact Jennifer Davis, Archaeologist, by phone at 301-415-3835 or via email at Jennifer.Davis@nrc.gov, or Robert Hoffman, Senior Environmental Project Manager, by phone at 301-415-1107 or via email at Robert.Hoffman@nrc.gov.

Sincerely,

Daniel Barnhurst, Acting Chief
Advanced Reactor Environmental Review Branch
Division of Advanced Reactor Projects
Office of Advanced Reactors

Docket Nos.: 50-616, 50-617

Enclosure: As stated

cc: Granicus Communications
(formerly GovDelivery)

Sarah Thompson
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ADAMS Package No.: ML26194A312; Letter: ML26196A223; Encl: ML26194A201

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